

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

**JUSTIN STAUFFER,**

Plaintiff,

No. 3:17-cv-01295-YY

v.

**ORDER OF DISMISSAL**

**CITY OF NEWBERG, NATHAN JAMES,  
BRIAN CASEY, ERIC STONE, PAUL  
RAPET, CARL BUSSE, CHRIS  
RASMUSSEN,**

Defendants.

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On November 16, 2017, Defendant Nathan James filed a Partial Motion to Dismiss [11] Plaintiff Justin Stauffer's first and third claims for relief under the first cause of action stated in the Complaint [1], and each of Plaintiff's claims for relief under the second cause of action. Mr. Stauffer filed a Response [17] on November 30, 2017, indicating he concedes Mr. James's Partial Motion to Dismiss in its entirety. Magistrate Judge Youlee Yim You referred this matter on December 6, 2017 [20].

IT IS HEREBY ORDERED AS FOLLOWS:

Mr. James's Partial Motion to Dismiss is GRANTED. Plaintiff's Fourth Amendment wrongful detention claim (the first claim for relief under the first cause of action), Fourth Amendment unreasonable search and seizure claim (the third claim for relief under the first cause of

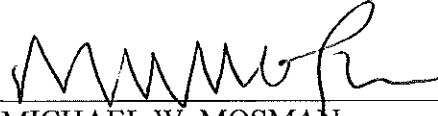
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action), and each of the claims under the second cause of action are DISMISSED WITH  
PREJUDICE as to Mr. James.

DATED this 7<sup>th</sup> day of December, 2017.

  
MICHAEL W. MOSMAN  
Chief United States District Judge